

Civil Action No. 22-CV-03092-EJD

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* San Benito County District Attorney Candice Hooper
on *(date)* July 7, 2022.

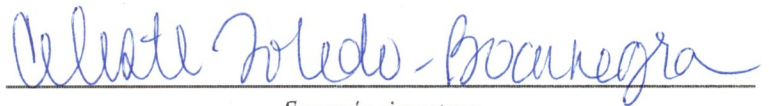
- ☒ I served the subpoena by delivering a copy to the named individual as follows: Judy Garner. Administrative Specialist on *(date)* Thu, Jul 07 2022; or
- ☐ I returned the subpoena unexecuted because: _____.

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ \$85.28.

I declare under penalty of perjury that this information is true.

Date: July 8, 2022



Server's signature

Celeste Toledo-Bocanegra
San Benito PS202001

Printed name and title

Hollister Process Service
341 Tres Pinos Road, Suite 201
Hollister, CA 95023
831-634-1479

Server's address

Additional information regarding attempted service, etc.:

Bender's Legal Service, Inc.

Thursday July 07, 2022

INVOICE

costan.284562

1625 The Alameda

Suite 511

San Jose, CA 95126

Telephone: 408 286-4182 , FAX: 408 298-4484 Tax ID: 45-3753575

Costanoan Indian Research, Inc.

1 Indian Canyon Road

Hollister CA 95024

Case #: 22-CV-03092-EJD

Court: U.S. District Court, Northern District of California

Title: Sayers-Roods vs. Marlene Rita machado

Description: Court Service: File Documents; Issue Subpoena

Date	Description	Amount
07/07/22	Miscellaneous Job: Court Service	
07/07/22	Court Service	30.00
07/07/22	Rush (within 72 hrs local or 1 week out of county)	25.00
	Balance Due	55.00

Pay either by invoice or by the statement sent the first of the month.

We accept all major credit cards.

UNITED STATES DISTRICT COURT

for the

Northern District of California



KANYON SAYERS-ROODS, ET AL.

Plaintiff

v.

MARLENE RITA MACHADO

Defendant

Civil Action No. 22-CV-03092-EJD

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Custodian of Records - Office of San Benito County District Attorney Candice Hooper,
4419 4th St, Hollister, CA 95023

(Name of person to whom this subpoena is directed)

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: Any communication held in 2022 between the San Benito County District Attorney Office and the Bureau of Indian Affairs ("BIA"), wherein BIA makes assertions, certifications, statements, or claims, to having Federal jurisdiction or any other particular interest in criminal or civil matters concerning 'Indian Canyon' (Indian trust land), Costanoan Indians Tribal Community, Ann Marie Sayers, Marlene Machado, Canyon Sayers-Roods, or 'Indian Canyon Road.'

Place: U.S. DISTRICT COURT (San Jose, CA)
280 S 1st St, San Jose, CA 95113; or
in alternative at the San Benito County District Attorney Office

Date and Time:
July 21, 2022

☐ **Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: _____

CLERK OF COURT

Signature of Clerk or Deputy Clerk

OR

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) _____,
who issues or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 22-CV-03092-EJD

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____
on *(date)* _____.

☐ I served the subpoena by delivering a copy to the named person as follows: _____

_____ on *(date)* _____; or

☐ I returned the subpoena unexecuted because: _____
_____.

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KANYON SAYERS-ROODS, POWER-OF-
ATTORNEY
FOR ANN-MARIE SAYERS OF THE
COSTANOAN
INDIANS OF INDIAN CANYON;

C.A. No. 22-CV-03092

KANYON SAYERS-ROODS
(IN AN INDIVIDUAL CAPACITY)

Plaintiff(s)

PLAINTIFF'S AFFIDAVIT IN SUPPORT OF
SUBPOENA DUCES TECUM

-vs-

MARLENE RITA MACHADO

Defendant

AFFIDAVIT

I, KANYON SAYERS-ROODS, a member of the Chualar-Costanoan Tribal Band of Indian Canyon, California, residing in San Jose, in Santa Clara County, California, MAKE UNSWORN OATH AND SAY THAT:

1. I declare that I am filing Subpoena Duces Tecum for pertinent records from the Office of the San Benito County District Attorney because I want to authenticate assertions, administrative orders, claims, or particular interest, shown by the Bureau of Indian Affairs, whereby resulted in the San Benito County District Attorney or San Benito County Sheriff administratively close, set aside, stay, or '*stand down*,' on an law enforcement action, or civil standby assistance to my tribal community and tribal council, to remove Defendant Marlene Machado from Indian Canyon Ranch (an Indian trust land under Department of the Interior).
2. Per previously filed declaration(s), certification(s), or court papers of this civil action (e.g., *supra*. ECF Doc. Nos. 34, 35, 36), the Bureau of Indian Affairs has preserved claim to jurisdiction to over criminal or civil matters relative to my cause claims made in the instant case which concern 'Indian Canyon' (Indian trust land and tribal community of the Costanoan-Chualar Indians of Indian Canyon, Indian Canyon Road; and tribal members Ann-Marie Sayers and myself).

3. I declare that my subpoena filed with this court is solely for the purpose of authenticating administrative claims, declarations, or statements that have/would affect the result of the instant case.

[CERTIFICATION.]

4. On this 6th day of July, 2022, I, Kanyon Sayers-Roods, a tribal member of the Indian Canyon Chualar Tribe of Costanoan-Ohlone People (*Chualar-Costanoan Indians*), declare and submit the foregoing as true and correct, under penalty of perjury and in lieu of oath pursuant to 28 U.S.C. 1746, submitting this Affidavit to the Clerk of Court, and serving notice of this legal action to parties of this civil action.

s/ Kanyon Sayers-Roods

(Signature)

KANYON SAYERS-ROODS